

REMARKS

Formal drawings are included. Figure 1 has been amended to show axis A. Figure 3 has been amended to change the reference numeral for the “first portion” to 43.

Claims 5-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 5 has been amended to recite that the support includes a first pin and a first resilient member and the bracket includes a first hole. Claim 7 has been amended to recite that the support includes a second pin and a second resilient member and the bicycle accessory includes a second hole. Claim 6 has been amended to depend on claim 5.

Claim 1-4, 9, 14-16 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Creps et al. (4,721,320). Creps et al. does not disclose a bicycle accessory device including a first quick release connection between a support and a mount that includes a first resilient member and a second quick release connection between a support and a bicycle accessory that includes a second resilient member as claimed. Creps et al. discloses a bicycle training hitch. The Examiner is calling the nut 94 the first quick release connection and the bolt 106 the second quick release connection. The nut 94 and the bolt 106 do not include a resilient member as claimed. Therefore, the claimed invention is not anticipated, and Applicant respectfully requests that the rejection be withdrawn.

Claims 1-4, 9, 14-16 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Perrin (6,286,847). Perrin does not disclose a bicycle accessory device including a first quick release connection between a support and a mount that includes a first resilient member and a second quick release connection between a support and a bicycle accessory that includes a second resilient member as claimed. Perrin discloses a bicycle coupling device. The Examiner is calling the locking members 86 the first quick release connection and the second quick release connection. The locking member 86 do not include a resilient member as claimed. Therefore, the claimed invention is not anticipated, and Applicant respectfully requests that the rejection be withdrawn.

Claims 1-4 are alternatively rejected under 3 U.S.C. 103(a) as being unpatentable over Starks (5,988,663) in view of Creps et al. The Examiner admits that Starks does not disclose a second quick release connection between a support and a bicycle accessory. The Examiner states

that Creps et al. discloses this feature, and it would be obvious to employ this feature in Starks. Applicant respectfully disagrees.

The claimed invention is not obvious. There is no motivation to employ a second quick release connection in Starks. Starks discloses a handle 37 mounted to a mount 34 with a quick release connection. As there are only two parts that are being connected, there is no reason or motivation to employ a second quick release connection as claimed. To employ a second quick release connection would require employing an additional part. In Starks, there is no reason to add an additional part as this would add additional materials and expense. As there are only two components that are being connected, only one quick release connection is needed, and there is no motivation or reason to employ a second quick release connection.

Additionally, there is no motivation to combine the references because it is not possible to combine the trailer hitch of Creps et al. with Starks. In Starks, as shown in Figure 1, the mount 34 is substantially vertical and transverse to the direction of the force exerted by the trailer. The bicycle trailing hitch of Creps et al. is substantially horizontal and in the same direction as the force exerted by the trailer, as shown in Figure 2. To employ this configuration in Starks would require a completely different attachment of the mount 34 to the bicycle, increasing the complexity of the connection. There is no motivation to employ the features of Creps et al. in Starks, and Applicant respectfully requests that the rejection be withdrawn.

Claims 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perrin in view of Burger (6,347,731). The Examiner admits that Perrin does not disclose a support including two pins. The Examiner states that Burger teaches two pins that are resiliently biased outwardly, and it would be obvious to modify Perrin to include a support having two resiliently biased pins to stay loose and for easy manipulation. Applicant respectfully disagrees.

The claimed invention is not obvious. Perrin discloses a bicycle coupling device including an interconnecting portion 16 that connects a trailing bicycle to a leading bicycle (column 3, lines 45 to 50). As shown in Figures 9 and 10, the trailing bicycle is pulled by the leading bicycle. The trailing bicycle generates a substantially horizontal force on the interconnection portion 16 as it is pulled. The components of the interconnection portion 16 are also mounted in a horizontal direction. A quick connection attachment including a resiliently biased member is not strong enough to hold the horizontally mounted components of the interconnection portion 16 together. That is, the horizontal force would pull on the connection and pull apart the horizontal

components. The locking member 86 of Perrin provides a stronger connection. Therefore, there is motivation or benefit to employ a resiliently biased member in Perrin as it would make the connection of the interconnecting portion 16 weaker. The claimed invention is not obvious, and Applicant respectfully requests that the rejection be withdrawn.

Claims 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perrin in view of Kuo (6,398,247). Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Perrin in view of Kirvutza (4,157,075). Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Perrin in view of Long. Claims 10-13 and 17 depend on patentable independent claim 1 and are allowable for the reasons set forth above. The claims are not obvious because none of the references disclose, suggest or teach a bicycle accessory device including a first quick release connection between a support and a mount that includes a first resilient member and a second quick release connection between a support and a bicycle accessory that includes a second resilient member as claimed. The claimed invention is not obvious, and Applicant respectfully requests that the rejection be withdrawn.

Claims 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Creps et al. in view of Burger. The Examiner admits that Creps et al. does not disclose a support including two pins. The Examiner states that Burger teaches two pins that are resiliently biased outwardly, and it would be obvious to modify Creps et al. to include a support having two resiliently biased pins to stay loose and for easy manipulation. Applicant respectfully disagrees.

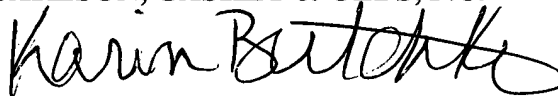
The claimed invention is not obvious. Creps et al. discloses a bicycle trailer hitch including a bicycle trailing hitch 10, a flexible hose 96 and a tongue 14 (connecting components). As shown in Figure 1, a bicycle trailer 16 is pulled by a bicycle 12. The bicycle trailer 16 generates a substantially horizontal force on the connecting components as it is pulled. The connecting components are also mounted in a horizontal direction. A quick connection attachment including a resiliently biased member is not strong enough to hold the horizontally mounted components of the connecting components together. That is, the horizontal force would pull on the connection and pull apart the horizontal components. The nut 94 or bolt 106 of Creps et al. provides a stronger connection. Therefore, there is motivation or benefit to employ a resiliently biased member in Creps et al. as it would make the connection of the connecting components weaker. The claimed invention is not obvious, and Applicant respectfully requests that the rejection be withdrawn.

Claims 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Creps et al. in view of Kuo. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Creps et al. in view of Kirvutza. Claims 10-13 depend on patentable independent claim 1 and are allowable for the reasons set forth above. The claims are not obvious because none of the references disclose, suggest or teach a bicycle accessory device including a first quick release connection between a support and a mount that includes a first resilient member and a second quick release connection between a support and a bicycle accessory that includes a second resilient member as claimed. The claimed invention is not obvious, and Applicant respectfully requests that the rejection be withdrawn.

Thus, claims 1, 3-15 and 17-22 are in condition for allowance. The Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C. \$60.00 for the one month extension fee. No additional fees are seen to be required. If any additional fees are due, however, the Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C., for any additional fees or credit the account for any overpayment. Therefore, favorable reconsideration and allowance of this application is respectfully requested.

Respectfully Submitted,

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Dated: September 18, 2006

CERTIFICATE OF MAIL

I hereby certify that the enclosed response is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 18, 2006.



Amy M. Spaulding



Serial No. 10/676,774
60244-007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Starks
Serial Number: 10/676,774
Filed: October 1, 2003
Group Art Unit: 3618
Examiner: Phan, Hau Van
Title: BICYCLE ACCESSORY DEVICE

LETTER TO THE OFFICIAL DRAFTSMAN

Dear Sir:

Applicant hereby submits five (5) sheets of formal drawings. Favorable consideration is requested.

Respectfully Submitted,

CARLSON, GASKEY & OLDS, P.C.

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September 18, 2006

Date

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Amy M. Spaulding